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## Buffalo to relocate lockup to City Court

### **Will stop paying county to use Holding Center**

By **Matthew Spina**

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The last time the City of Buffalo tried to place a police lockup in the City Court building it was a washout.

Police officials in 1991 spent \$400,000 on a project to move the central booking bureau from the cramped Franklin Street headquarters to the lower level of the City Court building, and to build some holding cells nearby.

Then it rained. The basement booking area flooded so much it could not be used. This time, city officials say they will not repeat history.

After paying the Erie County Holding Center to serve as the lockup for Buffalo police — an arrangement that largely flopped over its eight-year history—Buffalo police soon will again maintain their own lockup for defendants awaiting arraignment. The lockup will be located in the basement of the City Court building.

The basement has been dried out in recent years, City Public Works Commissioner Steven J. Stepniak reported in an e-mail. The city spent \$400,000 to better weatherize the building and make it more water-tight, as well as to install new pumps to get rid of any water that does seep in. The city also will modify the building as needed, said City Hall spokesman Michael DeGeorge.

Buffalo police are working to open the lockup by Oct. 1. The facility will confine men arrested by city police until they see a judge for the first time. Women arrested by the Buffalo police will be booked at the City Court building, but then moved to the Holding Center pending arraignment, as they are now, according to correspondence between police officials and the state Commission of Correction, which must approve the

city's plans for the lockup.

If Buffalo police meet the Oct. 1 target date, it will mark the end of an eight-year experiment in government cooperation. In 2003, then-County Executive Joel A. Giambra revived a proposal to let the Holding Center serve as the Buffalo police lockup for about \$940,000 a year. The agreement was intended to help the ailing city save money.

The Holding Center quickly had trouble handling the crush of new defendants awaiting arraignment.

As time went on, new Sheriff Timothy B. Howard argued that the Commission of Correction should allow the Holding Center to operate its prearrest holding area under the state's more lenient standards for lockups, not the more stringent standards for jails. Under the more lenient standards, the Holding Center, among other things, wouldn't have to provide bedding and items of personal hygiene to defendants awaiting arraignment.

The Commission denied the repeated requests and continued to enforce jail standards at the Holding Center. The staff said that more lenient lockup standards were never part of the plan for the Holding Center, and pointed out that no other city-county arrangement in the state receives the same liberty.

Later, Howard and County Executive Chris Collins considered the possibility of erecting a new building to serve as a lockup, Collins disclosed in an interview in September 2009. It would have been a multimillion-dollar solution to a less costly problem.

But Collins eventually preferred to simply get the county out of the lockup arrangement with Buffalo. A 2007 report by Comptroller Mark C. Poloncarz concluded that county government was losing money on the service anyway, because the city's annual payment did not cover the costs.

Collins notified City Hall that he intended to end the lockup arrangement, and they agreed to return lockup duties to Buffalo police starting in October.

The city is budgeting \$1.2 million a year to run its own lockup.

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